**Inclusive Art Vermont**

**Art Access Summit**

**March 28, 2023**

**New England ADA Presentation Transcripts**

**HEIDI SWEVENS:** Hello and welcome back. This is the Inclusive Arts Vermont Arts Access Summit. My name is Heidi Swevens, and thanks for the keynote, for those of you who were part for that, for those joining us now and the flexibility with chiming. I'm the Director of Community Partnerships at Inclusive Arts Vermont. I use she/they pronouns. For access purposes I'll do a visual description. I have blue eyes and pale skin with short brown hair. Today I'm wearing a rust-colored sweater, and behind me some white walls with angles and a hue of turquoise. I'm really, really grateful to be here with you and the team and welcome Jason Angel for the New England ADA Center.

I often say, maybe some of you heard this, that I would rather be hugging a tree or writing a poem than talking about the law. But I'm really, really glad that there's people who do and that's their perspective and their role and background. Jason is part of the New England ADA Center's team, and talking with him before this presentation, I learned his first kind of official role there was in 2017ish with the Vermont Arts Council's inaugural  not inaugural Arts Access Summit  excuse me, Art of Symposium, and that was predicated by his experience with some research of outdoor and institutional settings around accessibility for people with disabilities.

And since then he's added to his skill set, joined the New England ADA team and he's joined us today. Jason, I want to thank you for your time, for your flexibility with time, and also for the many conversations and back and forth’s in preparing today's conversation and presentation. And I know that when Inclusive Arts Vermont does workshops or presentations, we're continually giving out the New England ADA Center's contact information. And I know you'll share more about that, but you are a thinking partner, you understand the law, you're anonymous, and I think for those of us who really care about inclusion and know what we don't know, and sometimes don't know what we don't know, you've been a really great resource and thinking partner in that respect and dignity and understanding and also the creativity that gets thrown in. We've had many laughs, and I'm going to turn it over to you today for the presentation and thanks again for being here with us.

**JASON ANGEL:** Thank you, Heidi. I am just going to share my screen. I have a presentation prepared for today. Bear with me one second, please.

So as Heidi indicated, my name is Jason. I'm ADA training and information specialist with the New England ADA Center, which is a project of the Institute for Human Centered Design. We're located at 560 Harrison Avenue at Boston, Massachusetts. Our number is 800-949-4232 for the New England region. If you're outside the region, reach us at 617-695-0085. You can reach us by email at ADAinfo@ihcdesign.org.

I have no personal preferred pronouns. I am a white male with gray hair, blue eyes, glasses, and a beard. Today I'm wearing an olive-green shirt with black tie. My background is a plain dark color that is blurred. I'd like for folks to please forgive me if I failed to describe a graphic on slides. I'm going to do my level best to make sure that I describe everything on the slide for the most accessibility possible. I've also provided time towards the end of the presentation for questions. I'd really like for people to chime in through chat, or raise your hand in certain instances when I cue you for participation. I've designed the presentation today with a couple of scenarios in which I would like to invite people to offer their feedback. Some of them are quick yes/no answers. You can answer in the chat. Others might be more complicated. But I do have a nice period of time for people to ask questions towards the end.

At the left of the screen is the Inclusive Arts Vermont logo, which is a swirled of different paint colors. Below that is our New England ADA Center project for the Institute of Human Centered Design logo. At the righthand side is an invitation to take our survey. At the end or any time, we have a QR code and a website in which you can participate in a survey, let us know what worked today, any comments you had, what some of your takeaways were. You can find that at [surveymonkey.com/R/G2DCNPH](http://surveymonkey.com/R/G2DCNPH).

So, today's agenda. We're going to take a look at barriers to employment for people with disabilities. We'll do that through looking at the definition of disability. We'll talk about data on disability. We'll look at bias and stereotypes. Then we'll move into the second part where we're going to talk about removing barriers for recruitment, hiring, and retention of employees with disabilities. And the key aspect to all that is reasonable accommodations.

Now, again, I'm trying to make sure I describe all the images. At the bottom of each of these next slides is the New England ADA Center logo located at the center. To the right of that is the Institute for Human Centered Design logo. Then there's a decorative line, and then our website, which is [www.NewEnglandADA.org](http://www.NewEnglandADA.org).

We're going to take a look at the definition of disability. So, we're talking about the Americans with Disabilities Act passed in 1990 when George Bush Sr. signed it into law. And under that law, we are looking at a definition that has three prongs. And a person must meet one of the three prongs to qualify as a person with a disability under the ADA.

Now, one of them is that a person has a mental, physical impairment that substantially limits one or more major life activities. Now, those major life activities could be anything from a mental health disability that could include bipolar disorder. Could be something with your circulatory system, like diabetes, or your endocrine system, I should say. Or like for myself, full disclosure, I'm a person with a disability with a mobility impairment.

Now, the second part of that definition is a person has a history of a physical or mental impairment. So, in a case like this, we would give an example where a person has had cancer, is now in remission.

The third part of the definition is a person is regarded as having such an impairment. So, a person is perceived as having an impairment, but does not have an impairment. And we often associate something like this with an example where say a particular family member has HIV, and so then people commonly misconceive that other members of that family are affected by HIV, as well. So, they are regarded as having an impairment but don't actually have such an impairment.

Here we have some data on disability, and in the next couple of slides I will present some more data in and around disability and disability types. So, in our previous grant round, the Institute for Human Centered Design conducted some research in an attempt to identify how many people have disabilities as defined by the ADA in New England. So, once we collected all the New England data, then we were able to break it out by state. And, so, here we have the data from the U.S. Census Bureau, the survey of income and program participation. Then we broke out, as I mentioned, different state data. And, so, we're looking at Vermont percentage of adults 18plus with disabilities in Vermont. And when we look at the overall category, we're talking about 28% of the population in Vermont have a disability. Under that we're breaking into categories with a significant disability with 15.9%. We then look at the types by describing upper body limitations, so, people who have issues with arms, hands, or something of that nature. That represents 14% of the population of Vermonters. With disabilities.

With mental health disabilities there's 11.7%. People that use cane, crutches, or walker represents 5.4%. People with hearing difficulty, and this is only information collected from the American Community Survey, is 5.3%. People with vision difficulty with that same American Community Survey data alone is 2.3%. And then interestingly we find that people who use a wheelchair, someone like myself, it only represents 1.6% of the population, which is interesting, because very commonly people associate accessibility with wheelchair access. Now, these statistics show that there is much more to consider than just wheelchair access.

Here's a breakdown of some disability types as it relates to the population of adults with functional disability types. And this is a product of the CDC. We're looking at these different categories. And when we look at mobility, we're looking at kind of an overall, you know, category where it affects serious difficulty walking or climbing stairs, and that's 13% of the population. People with cognition, so that's serious difficulty concentrating, remembering, or making decisions. That is 10.8%. We're looking at 6.8% of people that have independent living issues, which is difficulty doing errands alone. We have 5.9% of deafness or serious difficulty hearing. 4.6% of vision, blindness or serious difficulty seeing. Interestingly, we have another category of 3.7% of self care, which is difficulty dressing or bathing.

Now, when we consider these categories, we're looking at something maybe not as traditional as, you know, I can't climb stairs or things of that nature. We're looking at factors and how a person lives in their environment, and how a disability may affect their ability to self care or live independently. And also we can't forget, too, is how we talk about how some of these things might be a progression of age, which I'll talk slightly more about in just a minute.

So, common reasons for functional limitations of adults in the United States include things like arthritis, back problems, heart disease, and respiratory disease. In 2008 the Department of Justice expanded the meaning of disability to include bodily systems. So, when we consider the endocrine system and the effects of diabetes, or heart issues, we talked about the circulatory system. Many of these impairments we require may be physical in nature. And, so, they could be things like arthritis and heart disease, but we also can't forget that brain-based disabilities like Alzheimer's or dementia. And I wanted to mention age in light of this, because we also think about how many people are working beyond the retirement age of 65. And, so, more and more older workers are continuing to work past that retirement age. And as we age, the likelihood of acquiring a disability increases, which may mean they need more accommodation, even if they see their conditions as just a part of the aging process. So, very often you might find people that have disabilities but never see it that way because they just think it's a progression of their age.

So, then we want to take a look at race, gender, and sexuality. If you don't serve people who have disabilities, you may not serve many other audiences completely either. And, so, we come to a situation with multiple identities. And that could be female, BIPOC, LGBTQIA, people from marginalized groups are more likely to acquire a disability, as well. Now, by no means does any of this graphical data mean that all minorities or identities are represented in these statistics. There's far more out there, but we wanted to highlight some of it and show if you're not serving people with a disability, then you're not serving anyone very well. So, that is taking a look at statistics like an estimated 3 to 5 million LGBT people have a disability. That means 2 in 5 transgender adults, 1 in 4 LGBT adults. That breaks down further, 40% of bisexual men, 36% of lesbian women, 36% of bisexual women, 26% of gay men report having a disability.

And then when we consider other communities, disability communities, it's especially common in some of these groups where 2 in 5 adults aged 65 years and older have a disability, 1 in 4 women have a disability, 2 in 5 nonHispanic, American Indian/Alaska natives have a disability. Now, these sources are from LGBTmap.org for the graphic on the left. And then CDC provides the graphical information on the right.

So, then we're going to take a look at, well, what does this mean when we look at things like employment. So, we talked about data collected from the Bureau of Labor and Statistics, and they have published some data on people ages ranged 16 to 64, which is the working age. And then 16plus, which means that it represents 65 and beyond, which are considered the retirement age. And the 16plus includes those working beyond the retirement age in this graphical data.

Now, when we look at the labor force participation rate for people with disabilities, we're talking about 40.2% in the working age range, and then people working beyond that range is 23.9%. When you compare that to persons without disability, there's a significant difference, almost double of the labor participation rate of 77.3% and 67.8% of people are employed. When we look at the unemployment rate for these categories, we're talking about 8.1% for the working age range, and then for the people working 16 plus and beyond retirement age, that's 7.3%, compared to persons without a disability and the unemployment rate being 3.8% and 3.7%. I'm sorry, that was a lot to speak about, and it's probably sounded a little more confusing than maybe I made it. But really what we wanted to highlight here is that, you know, what we're talking about today I'm hoping will close the gap in some of what we see in that labor force participation rate. And that is done through inclusion. And things like we'll mention soon about reasonable accommodations.

So, here are some statistics with disability employment in the arts. I know it's some more numbers and maybe a little bit boring, but I think it's important to highlight that people with disabilities represent a small fraction of art workers. So, when we look at some of this data, published in a report from the Career in Arts, promoting access, equity, and inclusion for people with disabilities. We see that 4.3% are actors, nearly 8% are artists and arts related workers. Nearly 6% are dancers and choreographers. 4.6% of photographers, 5.4% of writers and authors. 4.3% work in television, video, motion picture camera operations, and editors.

So, there's just some statistics to show that there are some employments in the arts, and that there's kind of a relatively small proportion of that. In the image on the left we have a person without arms sitting and expressing their artistry on a canvas holding paint brushes with their feet. On the bottom there's an expression of art and disability where a black prosthetic arm and hand is holding a stalk of broccoli against a green background.

Now we're going to take a look at some biases and stereotypes. Now, these may reflect what attitudes and barriers we still seek today. Many of examples of discriminations against people with disabilities are kind of historical. So, when we consider that in 1972 a man with cerebral palsy went to dinner with a friend in a restaurant in Chicago, he was arrested for being in public, because they had a law on the books forbidding people with, you know, apparent disabilities from being in public.

Then we take a look at people with intellectual disabilities and how they were institutionalized for life. So, people who used to be called  had mental retardation, found themselves locked up in institutions beyond what their capabilities were. Children with disabilities of all sorts of isolated and inferior special education classes. And then there's assumption that people who are small "d" or capital Deaf are unintelligent. We can recognize how these attitudes were about people with disabilities, and so much of that has changed. So we see things like Section 504 of the Rehabilitation Act, where it was a precursor to the ADA saying that no entity shall discriminate that receives any federal funding. And then also when it talks about people with intellectual disabilities being institutionalized, we have the Olmsted Act, which was important for people to be integrated into their communities.

Also, the Individual Education Act helped children with disabilities achieve a fair and equitable education. And all of these were fostered, like I had mentioned, the ADA came after Section 504 of the Rehabilitation Act, create accessibility for anybody with public accommodations. But the unfortunate part is that some of these biases and stereotypes persist.

Biases and stereotypes. So, we have things like if you have a disability, you are a less, you are a less intelligent, you are less educated, you are less able to or need to be taken care of. People who have common misconceptions are people who have the same disability think and act the same. All technology for people with disabilities are always up to date and all users know how to use them expertly. All people with disabilities use public transportation. And people do not have to say excuse me when they zip past you or bump into you, which I've experienced several times.

And then even on the point where people who have the same disability think and act the same, even that extends to when I talk about people in a wheelchair. In the image that's on the lefthand side of the slide here, there's a person in a wheelchair doing a performance holding a sparkler in their hand. They are using a manual wheelchair. So, lots of times people see if that's the manual wheelchair that everybody needs. It's just not that way, because disability is so individualistic. And even mine has transferred  transformed from needing a use of a manual wheelchair full time to partially using a power wheelchair.

Other biases and stereotypes. People often have the misconception that considerable expense is necessary to accommodate workers with disabilities. The fact is that according to the Accommodation Network, Job Accommodation Network, 80% of accommodations cost less than $500. Most frequently reported accommodations were changes in job duties, modified work hours. Accommodations have more to do with creativity, flexibility, and management practices rather than expensive structural modifications or specialized technology.

Now, these things could also include the option for remote work, which I'll discuss shortly.

Stereotypes of people with disabilities apparent and non-apparent. So, we go through things like you don't look sick, or you just need will power and you'll get over it. What you may find is people think you're faking it if you don't look a certain way. Others think you're just depressed. It's important to understand all disabilities are not visible, and it isn't about the will to get over an impairment. Very often people are afraid of saying or doing the wrong thing, so over time people with disabilities may notice their friends distance themselves, so people lose friends over time.

Commonly people make the mistake that a person's disability relates to how smart they are, which is false. Disability is not correlated with intelligence. Some invisible disabilities aren't just what people think, that it's all in your head. The image here on the righthand side of the slide is an artist's depiction of mental health. It is a dark silhouette of a person backed to us with their head down and bare shoulders against a gray background. It evokes an image of depression.

The other thing, too, to consider is that disability is not limited just to the individual, but it's unique to consider the environments needed to be understood holistically. And the World Health Organization, which their logo is pictured on the lefthand side of the slide, talks about the intersection with those five environments. And, so, we consider the physical environment, the built environments, are often inaccessible. Information is often unavailable for people with disabilities. The communication needs of people with disabilities are often unmet. Then we find attitudinal and social beliefs and prejudices that create barriers. And then find that policy does not always take in account the need of people with disabilities.

So, we recognize that the environment can limit a person's disability. Sometimes the environment even enhances and creates more disabling factors in some people's disabilities. This all generated from a World Health Organization's report on disability.

So, countering some biases and stereotypes. Many disabilities are not obvious. You wouldn't typically know that a person has a cognitive disability, an autoimmune disorder, or chronic pain. The physical and mental limitations we experience as we get older can also be considered disabilities. Again, I mentioned earlier, a lot of people associate that with just the aging process. With so many kinds of disabilities, you certainly interact with, every day, somebody that may have a disability.

Focusing on the person rather than disability is a way to counter biases and stereotypes. Avoid making assumptions about what a person needs. Speak directly to the person with a disability. So, offer respect. People are often afraid of saying the wrong thing. I've had several people, friends of mine, because I'm in a wheelchair, they cringe the moment they say, oh, you want to go for a walk? But it wasn't meant to be demeaning. It was just one of those common phrases. You know, people shouldn't fear something like that, you know, just offer the respect and the situation, that helps things tremendously.

The large image on this slide is a collage of people with a variety of disability types, genders, abilities, backgrounds, identities. To show that the face of disability is our face. People with disabilities in all walks of life and all professions and all ages are represented in some of these images. Every group, regardless of age, gender, race, ethnicity, or economic status experiences disability. I had a college grad school advisor that used to say we're all temporarily able-bodied.

So, the choice of words is a choice of worlds. The language determines our attitudes and perceptions. We can carefully consider how we use our words and whether we're being inclusive. We can counter our biases and stereotypes by being mindful of the terminology we use, because that terminology is always evolving. And, so, we really want to focus on people using the terminology "disability," because that is in. And the terminology of "handicap" is out. Our thinking changes over time, and that's reflected in this terminology. The term handicap originated as a game of equalization that took on a meaning to put at disadvantage. In 1915, handicap was applied to disabled children, but broadened later to describe all disabled people. Disability is the proper terminology. And that is because it's always evolving and it's getting away from no-no’s, like the terminology handicapped, crippled, wheelchair bound, confined to a wheelchair, or mentally retarded. Here are some of the terms that are no longer used, because these thinkings have changed around these. Even the "r" word was used to replace the derogatory terms like moron.

We also want to be thoughtful to avoid euphemisms. So, factors or terms like differently abled, handicapable, special needs, or challenged. These are all factors that can come across as a bit patronizing. I've had several instances where I received a tremendous amount of praise, and all I was doing was doing some grocery shopping. I understand that it's well intentioned, but be thoughtful about it so it doesn't come across as patronizing.

One thing that can be helpful in your writing around people with disabilities is the Stanford Disability Language Guide. Person-first language is used to create empowerment, because people with disabilities are first and foremost people with individual abilities. We go into these opinions on person versus identity first. Person first language would include something like a person with a disability instead of disabled person. A person with diabetes instead of diabetic. However, some feel that the emphasis on that personhood, despite a disability, only contributes to the stigma around the disability. So, it's important to note that many communities in the disability community are associating with identityfirst language. And that's where people would rather refer to themselves as autistic rather than person with autism.

So, it is good to know that some people may not identify as being disabled. They don't want their impairment to be their identity. So, they might prefer the person-first language or the identity-first language. They also don't want to be... if they are an advocate, you know, for that to be their only identity either. Because as we said, people are individuals.

So, now we're going to move on to employment and reasonable accommodations. We're going to talk about how to remove barriers to employment through reasonable accommodations. In this image here, we consider this is an alternative meeting space. There is a person that is transferred out of their wheelchair and on to a couch, sitting next to a person in a mobility device. And a more casual meeting space that may be better suited for these two arts program developers.

When we look and point to key terminology, we always refer to reasonable accommodation. That's one of the big factors of employment in the ADA. Reasonable accommodation is any change in the way any aspect of an employment process happens. Any change to the application or hiring process. Any change to the job or the way the job is done. Or a change in the work environment that allows a person with that disability who's qualified for the job to perform the essential job functions and enjoy equal employment opportunities.

Now, the essential job functions, that's the reason why the job exists. And a person needs to be qualified to do that. And, so, accommodations are considered reasonable if they don't create an undo hardship, which would be something that would be an accommodation that is difficult to administer or expensive. So, a change in modification could be in the hiring process, the work environment, company policies, or other benefits of employment.

So, then we look at what does that look like in the application and interview stage for a reasonable accommodations. In the application process, that could be offering an application in more than one form. So, is there an online version, is there a paper version, which then could be made into large print? Could there be a verbally filled out application, as well?

In the application interview process, you want to make sure that you welcome people with disabilities and their service animals. Very often, you know, employers in public accommodation will have a no pets policy, which is fine. But you would need to allow and welcome a person with a disability and their service animal. If there is any testing related to the application and interview stages, you know, can you look at whether or not the process... the testing is oral, could be written or typed responses. In some people with disabilities, particular learning disability, may need extra time on tests. The image on the right is a dial timer to indicate that extra time may be needed to accommodate some people's disabilities during the preemployment testing.

So, here I have a scenario for people to use the chat and chime in with an answer. We have a question of an artist with a learning disability may disclose that they have an issue filling out a paper application when they are applying to work at an upcoming arts fair. Now, the image on the left are people milling about in an alley of an outdoor arts festival, where artist booths are set up along each side of the alley. And down below that is an open laptop to show an accessible electronic application may be helpful for some people with disabilities. So, what other things should you consider in this form? If it's easier, you can unmute yourself.

**KAT REDNISS:** Feel free to respond to Jason in the chat. So you know, we have 15 minutes left in the whole session, in case you want to leave time for questions, we'd love some of that, too. Somebody offered a conversational application. A video application. Offering those, yeah.

**JASON ANGEL:** Excellent. So, those are the type of things that we want you to think about. What other ultimate formats can be offered in this process. Voice input software is a way of accommodating needs.

So, when we think about accommodation on the job, it's how you do a job so you can get the job done. Person would need to disclose their disability to receive a reasonable accommodation to modify their job or work. That's any change to the way the job is done, work environment, so the person with the disability can do the essential job functions.

We have a scenario where a person with a disability has difficulty standing for long periods. They are employed to check tickets at the local performance center. You want to consider that a possible accommodation could be offer a stool for them to sit or lean upon during their time of checking tickets. At the admissions as long as it doesn't interfere with the performance of that duty. The image on the right is an old theater with a classic style ticket booth centered between two sets of entry doors.

Possible accommodations on the job could be any of the following. Forms or checklists to prompt for required information. Flexible schedules. Verbal input and output software. Tactile instructions on copy machines, rather machines that are necessary for their job. Voice-activated recorder. A glare guard for computer monitors. Additional training time for new tasks. Reassignment to a vacant position. So, if no accommodation can be found, maybe there's another position a person is qualified to do. Training videos to help people understand what their roles. Again, as I mentioned earlier, large print materials. Here we have an image of a calendar in the bottom right of the slide. With the 7th day of the month circled to show that helping people with timelines may be an accommodation for some people with disabilities.

So, here we have another scenario. A person with a mobility impairment applies to work for your business. You're located on the second floor of a row of buildings on the main street of a small Vermont town, but they cannot climb stairs. What do you do?

So, in the image here, many buildings in Vermont and New England were built before the ADA. What we're looking at is downtown Waterbury video, two-story buildings, like many buildings, built before the ADA. So you would want to consider any options for work on the first floor or at another location. If you have two locations, can the job be located there? Is there a chance that people could... that the entity could have a lift installed. Might not be possible, because the age of the building or just, you know, the technical infeasibility of it. Is remote work a possibility for that position that they are applying for? And if the program is mobile, you know, choosing accessible locations for those programs to take place. And then, unfortunately, it may come down to it, where sometimes there just isn't an option that can be done to accommodate people.

An employee from a local arts program that is immunocompromised needs to protect themselves from exposure in the office from other coworkers for fear of cold, flu, or COVID19 and asked to work remotely. Is this a reasonable accommodation in this scenario? It can be an alternative for people with disabilities. Consider if a job can be done remotely. It might take an assessment to see what are the essential job functions, marginal job functions, those that aren't as important. Be clear on the details and expectation for remote work. So, if there's performance or thresholds they need to meet consistently, those need to be communicated. And remote work can be an option if an office is under construction or instances of bad weather like severe snowstorms.

Remote work may be a good solution for some situations, however not all positions are suited for remote work.

Discrimination compliant. People with disabilities if they experience discrimination can submit at the equal employment opportunity commission. Vermont human rights commission at 802-828-2480 or 800-416-2010. That's instate only. Again, I'd like to remind people to take our survey. Again, that's at SurveyMonkey, and there's a QR code for you to scan.

Now I have some time for questions, and please unmute yourself or enter something into the chat.

**KAT REDNISS:** Great. Jason, I'll make sure to put in the chat that SurveyMonkey, but I just wanted to read there was a question, “Has anyone ever tried to quantify the cost of hiring people who must hide their disability and then struggle to work as well as they could have if they had that accommodation?” And then Jen also offered an insight and article on why people hide their disabilities at work. ( <https://hbr.org/2019/06/why-people-hide-their-disabilities-at-work> ) So, that's in there, as well. But in case... then Keilani said, “Excellent, I feel like the cost to both employee and employer must be much higher for people who are hiding their needs. “

**JASON ANGEL:** It's an interesting theory. So, if a person's production is suffering and, you know, let's say there's performance or, you know, they are responsible for making 50 widgets today and they are not doing that, yeah, there's a real cost in a person not disclosing they have a disability and what that would translate into the operation of the business and how that would be improved if a person were to receive an accommodation.

So, I don't know that there's been any data out there that has quantified it yet, but it's having people in the position to recognize that there is a difference in performance, and you can't disclose a person's disability or ask them if they have a disability, but you can ask in a way that says is there anything you need to do your job, you know, we see that there's a performance situation, what can we offer to help you do your job. It is at that point where a person may say something that they might not use the term disability. Well, I'm having trouble standing doing this job all day, you know, and I could really use something to lean upon. It's recognizing that is a reasonable accommodation request, and that you would then start a process of providing accommodation or seeing what can be done for them to do that job. Very good question.

**KAT REDNISS:** Great. Jason, would you mind un-sharing the screen just so I can see if any of the folks  this is Kat, by the way, who's speaking. Thank you so much. Jason, thank you so much for all this information. That's really very rich and it's also fascinating to see the updated data, as well, about how those numbers are rising, definitely, those percentages.

So, folks, any questions for Jason about, you know, disability law, ADA, specifically ADA in the workplace?

**MEGAN:** This is Megan. I was wondering how much reasonable accommodations have changed since the pandemic, and if you could kind of speak to just some... yeah, just curious if that's broadened the interpretation of reasonable accommodations and how that's changed.

**JASON ANGEL:** Sure. That's a great question, because when the pandemic hit, and we went into a transition of everybody's in the office to everybody's working remote, those accommodations needed to transition with people with disabilities. And not only that, is that people with disabilities now in a new work environment may require some other equipment or technology or things like that for them to do their job in that remote situation.

Now, prior to the pandemic, remote work was this kind of uncertain, you know, we're not sure that it's fully effective, yeah, some people do it, they are productive, but, you know, a lot of companies we're just on the fence on whether or not they were going to grant that as a reasonable accommodation. And after the pandemic, it was widely proven that this is an effective accommodation.

And, so, that argument to say that, you know, it's not productive, or, you know, people aren't going to do their jobs or whatever the case, really fell away. And people proved that they could do these jobs with this remote work.

Unfortunately, there's been withdrawal, you know, people want people back in the office, and sometimes a position just really isn't necessary that a job is... you know, a company's paying for the real estate, they are paying for the office space, they want people's people in their chairs. And, so, that's kind of one of the drawbacks.

However, if it's a person with a disability and they have a valid concern to keep that accommodation of remote work, then that is something that should be evaluated on a case-by-case basis and granted, as long as it doesn't incur an undo hardship. Once again, too, not every position is suited for remote work. For instance, if I was working as a receptionist, where I greet people at the entrance and answer the phone, that would not be a very good position that could be easily adapted for remote work. So, there's just some positions where a person's presence is part of the essential job functions.

**KAT REDNISS:** Jason, I want to offer a couple things said in the chat. Karen, one of our panelists later, offered that “In Massachusetts there are Innovation Fund grants available to nonprofits that want to invest in accommodations and that link is in there for the Mass Cultural Council. A question is, is there anything available like that in Vermont?” Karen also said the “MCC cultural facility fund can be used for infrastructure and physical needs and those are there.” Yes, I was wondering if this was going to be said, our friends at Vermont Arts Council are there and say “They have cultural grants for nonprofits who own their own building, so that's there, as well.” (  <https://www.vermontartscouncil.org/grants/organizations/cultural-facilities> ) I was going to point to Vermont Arts Council for that. There's numerous grants. Also [Vermont Community Foundation](https://www.vermontcf.org/) has several grants, as well, some of the smaller grants that can be used, especially if it's something new that you're adding to that. Those would be my suggestion for the first few places to start.

Then, Jason, there is a question here...

**JASON ANGEL:** Just one second. The IRS provides a grant, because I saw somebody asking for profit. So for entities that make accessibility improvements, there is an IRS tax deduction that people can qualify for. And if you go online, you can search that out and find the details for that.

**KAT REDNISS:** Great. Then, Jason, I just want to... this is the question, then we might have to wrap up, we're about to go into lunch. So, if there's any other pressing questions, feel free to put them in the chat, but somebody is wondering if you could speak about long COVID as a mass disabling event. This person is a working artist, newly disabled by long COVID.

**JASON ANGEL:** Yeah, so, that is an evolving disability type that we're talking about that will fall under the same criteria as we consider other impairment types like diabetes, circulatory system issues, is that it may not be clearly defined as of yet, but if there's factors that substantially limit one or more major life activities, then they would be a person protected by the ADA.

And before I let you go, I just have a couple of last slides I need to share as part of the presentation. So, we are part of the ADA National Network. Our toll-free number is 8009494232. We are funded by the National Institute on Disability, Independent Living, and Rehabilitation Research through the Administration for Community Living and U.S. Health and Human Services. We are one of ten regional centers across the United States, which is the bottom image that shows the United States divided into ten regions. We are the New England region. We are also part of the Institute for Human Centered Design, which is a 44-year-old international education and design nonprofit dedicated to the role of design and social equity across the spectrum of age, ability, culture, gender, and economic status.

The image here we show is a couch area for more comfortable gathering space. The middle image is a quieter area with two seats. And then the image on the bottom right is a larger collaborative area with some featured artwork.

Again, there's a reminder please to take our survey. Again, my name is Jason, Jason Angel, jangel@ihcdesign.org. You can reach me at 8009494232, extension 263.

**KAT REDNISS:** Jason, thank you so, so much for all of this. And there's thank yous reiterated in there. Also, Michelle Bailey shared another potential grant from the Arts Council, as well. Jason, we're so grateful for this and so grateful for the conversation about accommodations in the workplace. Go ahead.

**JASON ANGEL**: I want to encourage people to get my number, get my name. If you didn't feel comfortable in this environment asking a question, please email me. I'm more than willing to give you as much time as you need to resolve any issues. If you'd like to go into more conversation about long COVID or other disability types, I'm available. And if I'm not available, my colleague Stacey Hart is available. You can reach all that information that we have provided. Again, this is something not just for you now, but carry with you to your communities. So, if there's a person that you recognize that may be struggling or have questions, feel free to share our contact information, because we're a resource for everybody.

**KAT REDNISS:** Wonderful. Thank you so much, Jason. Right now we are going into our lunch break session. So, we will have a lunch break until 1:30. So, you have a longer break right now. Feel free to take lunch. This will be open. We won't have interpreters or captioning during this time, so just awareness of that. But if people are in the chat, you know, that's fine, as well.

We'll also be off taking a little break for ourselves. At 1:30 we'll come back for our artists panel, where we have three artists joining us, Jeff Kasper, karen Krolak, and Aurora Berger. And then we will be in our accessible teaching practices, and then accommodations and considerations for accessible programming. So, enjoy lunch, folks. Thank you so much for being here with us this morning. Jason and Jen, thank you so much for all of the information and inspiration and insight you've given us so far, and looking forward to the rest of the day. Thank you, all you phenomenal humans. So appreciative.

**JASON ANGEL:** Thanks so much, everyone.

**KAT REDNISS:** Thanks.